

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VINCENT JACOBO,  
Plaintiff,

v.

MINOR, et al.,  
Defendants.

Case No. [14-cv-05185-JSC](#)

**ORDER DENYING MOTIONS TO  
COMPEL; GRANTING EXTENSION OF  
TIME**

Dkt. Nos. 22, 29, 32

Plaintiff, an inmate at the San Francisco County Jail, filed this pro se civil rights action under 42 U.S.C. § 1983. He claims that Defendants, four jail employees, used excessive force against him. The four Defendants have been served and have appeared.<sup>1</sup>

Plaintiff filed two motions to compel discovery on May 26 and June 10, 2015 (Dkt. Nos. 22 and 29), claiming that Defendants have failed to respond to his discovery requests. Defendants filed an opposition and accompanying declaration on June 26, 2015. Plaintiff has not responded to the opposition. In the motions and accompanying declarations, Plaintiff lists documents, written depositions, and interrogatory responses he seeks, and claims to have requested these items from Defendants. He does not, however, identify when he submitted these requests to Defendants, nor does he provide copies of the requests or proofs of their service. Defendants show that they received discovery requests on three occasions. The first, on April 28, 2015, was a set of interrogatories directed to Defendant Minor as well as jail employees who are not defendants. Defendants served Plaintiff substantive answers to all of the interrogatories on June 1, 2015. (Bliss Decl. Exh. A.) Plaintiff does not complain that these answers were deficient in any way. The next two sets of discovery were mailed to Defendants on June 1 and June 5, 2015. As the

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<sup>1</sup> All remaining parties have consented to the jurisdiction of a magistrate judge under 28 U.S.C. § 636. (See Dkt. Nos. 5, 33.)

1 deadline to respond to these discovery requests (July 6 and July 9, 2015, respectively) post-date  
2 the motions to compel, the motions are premature to the extent they relate to these discovery  
3 requests. Defendants indicate in their opposition that they planned to respond to the discovery  
4 requests by the relevant deadlines. Plaintiff has not indicated that he has not received such  
5 responses or that the responses are deficient in any respect. Accordingly, the motions to compel  
6 are DENIED without prejudice.

7 Good cause appearing, Defendants' motion for an extension of time, to and including  
8 October 5, 2015, in which to file a dispositive motion is GRANTED (Dkt. No. 32). All other  
9 deadlines set forth in the order of service remain in effect. Plaintiff has asked about the deadline  
10 for completing discovery. No such deadline has been set, but his opposition to any dispositive  
11 motion by Defendants will be due within 28 days from the date he is served with such a motion.

12 **IT IS SO ORDERED.**

13 Dated: July 17, 2015

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16 JACQUELINE SCOTT CORLEY  
17 United States Magistrate Judge  
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